

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 95-2672**

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MARY F. SMITH,

Plaintiff - Appellant,

versus

SHIRLEY S. CHATER, COMMISSIONER OF SOCIAL  
SECURITY,

Defendant - Appellee.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Richard C. Erwin, Senior District Judge. (CA-94-358-2)

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Argued: July 10, 1996

Decided: July 29, 1996

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Before WILKINS and LUTTIG, Circuit Judges, and G. ROSS ANDERSON, JR., United States District Judge for the District of South Carolina, sitting by designation.

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Affirmed by unpublished per curiam opinion.

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**ARGUED:** Tomi White Bryan, TOMI BRYAN & ASSOCIATES, Greensboro, North Carolina, for Appellant. Malinda Caroline Hamann, Assistant Regional Counsel, Office of General Counsel, Region IV, SOCIAL SECURITY ADMINISTRATION, Atlanta, Georgia, for Appellee. **ON BRIEF:** Lisa W. Bullard, TOMI BRYAN & ASSOCIATES, Greensboro, North Carolina, for Appellant. Frank W. Hunger, Assistant Attorney General,

Walter C. Holton, United States Attorney, Mack A. Davis, Acting Chief Counsel, Region IV, Mary Ann Sloan, Principal Regional Counsel, Social Security Disability Litigation, Haila Naomi Kleinman, Supervisory Assistant Regional Counsel, Office of General Counsel, Region IV, SOCIAL SECURITY ADMINISTRATION, Atlanta, Georgia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant, Mary F. Smith, seeks review of the Secretary of Health and Human Service's final decision denying her claim for a period of disability, disability insurance benefits, supplemental security income, and widow's insurance benefits. Smith's treating physician, Dr. George R. Kilpatrick, found Smith to be disabled. The Administrative Law Judge considered the medical evidence, including the examinations by Dr. Kilpatrick and a second doctor, Dr. Lawrence S. Slotnick, as well as Smith's testimony. Based upon this evidence, the Administrative Law Judge determined that Smith is not entitled to disability benefits because her condition allows her to perform "light level work," and therefore that she is able to perform her previous work as a pill inspector and small parts inspector. The Appeals Council denied Smith's request to review the decision of the Administrative Law Judge. Smith moved in the district court for judgment reversing the decision of the Secretary. The district court, upon Recommendation from the United States Magistrate Judge, denied Smith's motion and granted defendant's motion for judgment on the pleadings.

We have read the briefs, heard oral argument, and thoroughly considered the parties' contentions. We conclude that the Administrative Law Judge's determination is supported by substantial evidence and therefore affirm the holding of the district court.

AFFIRMED